



## Receipt of applications in two inter-State cases related to the conflict in Nagorno-Karabakh

On 15 January and 1 February 2021, respectively, the Court received the complete applications in the inter-State cases *Azerbaijan v. Armenia* (no. 47319/20) and *Armenia v. Azerbaijan* (no. 42521/20).

Previously, on 27 September and 27 October 2020 the Court received requests for interim measures, lodged respectively by Armenia and Azerbaijan. On 29 September 2020<sup>1</sup> it granted an interim measure under Rule 39 of the Rules of Court. Taking the view that the developing situation gave rise to a risk of serious violations of the Convention, it called upon both Armenia and Azerbaijan to refrain from taking any measures, in particular military action, which might entail breaches of the Convention rights of the civilian population, including putting their life and health at risk, and to comply with their obligations under the Convention, notably in respect of Article 2 (right to life) and Article 3 (prohibition of torture and inhuman or degrading treatment or punishment). In a statement of 4 November 2020<sup>2</sup>, the Court clarified that the States were under an obligation to respect also the Convention rights of those captured during the conflict and those whose rights might otherwise be violated.

In addition, the Court has received numerous requests under Rule 39 concerning alleged captives<sup>2</sup>, lodged by the Government of either Armenia or Azerbaijan or by relatives of the captives. The requests received so far concern 241 individuals, 228 Armenians and 13 Azerbaijanis. The Court has invited the respondent Government to provide information on the individuals concerned. Simultaneously, the Court has either suspended the examination under Rule 39 when the respondent Government have provided adequate information on their captives or applied Rule 39 when the Government have not given sufficient information or have not given any information at all.

The above-mentioned inter-State applications contain allegations of widespread violations of the Convention by the respondent States during the hostilities starting on 27 September 2020, including indiscriminate attacks on civilians as well as civilian and public property and infrastructure; executions, ill-treatment and mutilations of combatants and civilians; the capture and continued detention of prisoners of war; and the forced displacement of the civilian population in areas affected by the war. Azerbaijan is additionally submitting that Armenia is responsible for Convention violations in Nagorno-Karabakh and the surrounding territories since 1992, including the continued displacement of hundreds of thousands of Azerbaijanis from their homes and property; the ill-treatment and disappearance of Azerbaijani nationals without proper investigations; and the destruction of cultural and religious property.

The decisions on interim measures taken by the Court under Rule 39 are intended to prevent irreparable harm. They do not prejudice the admissibility or merits of the applications concerned. The applications now received in the inter-State cases open the proceedings on the complaints about alleged violations of the Convention. The first matter for the Court to examine is the admissibility of the applications. As an initial step, and in accordance with Rule 51 § 1 (assignment of applications and subsequent procedure), the President of the Court has assigned the cases to the Third Section and given notice of the applications to the respondent States.

<sup>1</sup> Link to the press release of [30.9.2020](#).

<sup>2</sup> Link to the [Statement on requests for interim measures concerning the conflict in and around Nagorno-Karabakh](#).

[Links to previous press releases](#)

- **Armenia v. Azerbaijan** (no. 42521/20) : press releases of [28.9.2020](#) and [30.9.2020](#)
- **Armenia v. Turkey** (no. 43517/20) : press releases of [6.10.2020](#) and [14.10.2020](#) and [2.12.2020](#)
- **Azerbaijan v. Armenia** (no. 47319/20) : press release of [27.10.2020](#)
- Press release of 4.11.2020 : [Statement on requests for interim measures concerning the conflict in and around Nagorno-Karabakh.](#)
- Press release of 16.12.2020 : [The interim measure indicated in the case of Armenia v. Azerbaijan and Rule 39 proceedings with regard to alleged captives to remain in force.](#)

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